

REMARKS/ARGUMENTS

In the Office Action dated June 22, 2007, the Examiner rejected claims 1-60 under 35 U.S.C. §§ 102, 103, and 112, and also provisionally rejected claims 1-32, 46-60 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-5, 7, 8, 11-17 of co-pending Application No. 10/807695. The Applicant has now canceled all previously pending claims, thereby mooted all of the rejections.

The Office views Beeghly (US 5537954), Gordon (CA 5537954), and Uhr (DE 20021260U1) as teaching an animal cover in which a plurality of pockets provides different locations for placement of heating and/or cooling pads. The Applicant agrees, and has amended the claims herein to recite patentable differences in the present invention.

The Office views Tadauchi et al. (JP 10113088A) as teaching an animal cover having VELCRO™ attachable heating/cooling pads. Here again the Applicant agrees, and has amended the claims herein to recite patentable differences in the present invention.

New claim 61 recites that the heating/cooling pads (i.e., removable temperature altering devices) are disposed in pockets that are freely positionable about an animal blanket. None of Beeghly, Gordon, Uhr or Tadauchi teach, suggest or motivate one of ordinary skill in the art to do that.

Beeghly, Gordon, and Uhr use pockets, but those pockets are always sewn in place, and therefore not freely positionable. Tadauchi doesn't use pockets at all, but instead appears to position the heating/cooling pads directly against the supporting fabric.

Still further, Tadauchi's heating/cooling pads are not freely positionable. There is a reference to "free" at [para 3], but that reference appears to relate "free" to the ability to freely attach and detach, "two or more coolants attached in the inside free [attachment and detachment]". At [para 9] the Tadauchi specification goes on to say "The above-mentioned coolant is characterized by being attached in the front face of the side in contact with the horse body....attachment and detachment are free". That language indicates that Tadauchi's heating/cooling pads are attachable and detachable only in the positions shown in the drawing, and are not freely positionable.

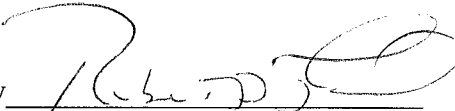
Claims 62-69 are all allowable (among other things) by virtue of their dependence upon allowable claim 39.

It is therefore proposed that the new claims completely circumvent the prior art of record.

Request For Allowance

Claims 61-69 are pending in this application. The applicant requests allowance of all pending claims.

Respectfully submitted,
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